

1 GRAND JURY 2021-01
2 EASTERN DISTRICT OF CALIFORNIA
3
4
5

6
7
8
9 REPORTER'S TRANSCRIPT OF PROCEEDINGS

10 TESTIMONY OF

11 FROM 9:06 A.M. to 11:05 A.M.

12 AT 2500 TULARE STREET, SUITE 4401

13 THURSDAY, AUGUST 4, 2022
14
15
16
17

18 FOR THE GOVERNMENT:

19 PHILLIP A. TALBERT

20 UNITED STATES ATTORNEY

21 BY: KIMBERLY SANCHEZ and JESSICA A. MASSEY

22 ASSISTANT UNITED STATES ATTORNEYS

23 U.S. DEPARTMENT OF JUSTICE

24 2500 TULARE STREET, SUITE 4401

25 FRESNO, CALIFORNIA 93721

BEHMKE REPORTING AND VIDEO SERVICES, INC.
(415) 597-5600

1

BARRETT_00011814

1 that he wanted to take a shower and that I should come -- or
2 maybe he didn't say I should come, but he led me to the
3 showers. And they are like these steel or metal like doors
4 so it's fully enclosed. There's no space under the door or
5 anything like that.

6 Q. Was it a public shower?

7 A. It was for the staff at the general store. It was
8 by the tent cabins behind the general store through the
9 parking lot. I remember -- I think I might have asked about
10 food, and he said -- I'm not sure, but I remember just being
11 really hungry and having asked about food because I had
12 brought some bars with me. I hadn't seen him eat or say or
13 leave any time for that and he didn't say anything about
14 eating dinner. I had been on this hike, I ate everything
15 that I had.

16 He led me to the shower and pulled on some doors
17 and then opened one that was his favorite one and he
18 was -- I noticed he was somewhat drunk at this time because
19 the way he was talking was becoming incoherent and --

20 Q. Did you perceive him to have been drinking when
21 you were at the swimming hole?

22 A. I don't remember. I couldn't say, but it became
23 clear to me that he must be drunk because of the way he was
24 talking and moving.

25 Q. Was he slurring his words or was he having trouble

1 forming sentences? What was it about the way he was talking
2 that led you to that conclusion?

3 A. Both. Like, I could tell he was saying words but
4 I couldn't make out what they were quite, and he was sort of
5 moving slightly sloppily. Then he closed the door and
6 turned on the shower and I stood there and I was scared and
7 I just stood in the other corner. It's a small room with
8 like a tiled floor and there's really not much space in it
9 at all between the wall and the shower curtain and then the
10 other wall.

11 He stepped in and I didn't for a while and I was
12 crying and he -- he grabbed me at that point and I don't
13 remember if he took off my clothes or told me to take them
14 off. I remember being in the shower turning away from him
15 and trying to make myself small and moving as far away from
16 him as I could, which wasn't very far which was the corner
17 of the shower and knowing what was happening and crying and
18 telling him that I was in a lot of pain and I couldn't -- I
19 didn't want to have sex. And he was pressing himself up
20 against me and me into the corner and into the wall facing
21 me as I was facing away and he forced my legs open and was
22 pressing me against the wall and if he was saying anything,
23 it wasn't coherent and I was telling him to stop and that it
24 hurt.

25 And he again raped me and forcibly entered me with

1 his penis without protection or any conversation and I
2 remember it being so painful and stinging and rough that I
3 was audibly making -- not screaming, screaming. I wasn't
4 screaming for help because I was scared to do that, but I
5 was screaming, if that makes sense.

6 Q. You were making noises that manifested that it
7 hurt when he was touching you in your vaginal area or your
8 anal area; is that accurate?

9 A. Yes.

10 Q. Did he penetrate you with his fingers or his penis
11 or both?

12 A. His penis, maybe both. I don't remember that.

13 Q. But his penis for sure?

14 A. Yes.

15 Q. I'm sorry to be asking this so bluntly. In your
16 vagina, your anus or both?

17 A. Both.

18 Q. What happened to stop the assault?

19 A. Again, I think he just at some point stopped,
20 decided he had enough. He didn't say anything. I just
21 stopped and put on -- started putting on his clothes and so
22 I put my on. Maybe there was a towel, I don't remember, and
23 led me back to his cabin and, again, laid on -- this time he
24 physically me put me on the bed and laid on top of me and
25 then kind of continued to try to grab and kiss me and I